

15, 16; see Docs. 19, 25]. On August 14, 2023, the Court entered its Pretrial Order and Case Management Plan (PTOCMP), setting the discovery deadline for December 8, 2023. [Doc. 27]. On October 11, 2023, Plaintiff filed the proposed Subpoenas now before the Court. [Doc. 33]. Plaintiff's Subpoenas are directed to the Wadesboro Police Department and the Anson County Sheriff's Office, respectively. [See Doc. 33 at 1, 4]. In them, he requests:

[C]opies of all discovery documents, records, reports pertaining to case file no. (20CR050437; 20CR050438) of May 26, 2020 incident. (Official Internal Affairs investigation documents, body cam footage, dash cam footage, official incident reports, official ballistic reports, names of all assisting officers at and on scene during shooting[, and] any & all crime scene photos).

[Id.]. Thus, it appears Plaintiff is attempting to conduct discovery in this matter through subpoenas on non-parties to the action, rather than through discovery requests on the parties. Plaintiff has not indicated that the parties have refused to produce any of the documents he seeks in these proposed Subpoenas. While the Court typically orders the U.S. Marshal to serve subpoenas on behalf of indigent litigants, the Court will deny Plaintiff's motion to serve subpoenas without prejudice to Plaintiff renewing the motion should Defendants fail to produce discoverable materials on Plaintiff's proper requests. Plaintiff is directed to the Court's Order of Instructions [Doc. 7] and

PTOCMP [Doc. 27] in this case regarding the conduct of discovery.

Plaintiff has also filed a motion asking the Court for an order for the issuance of a subpoena to Carolina Medical Center Atrium Health for medical records. The Court will deny this motion. It is Plaintiff's responsibility to prepare subpoenas in this matter and send them to the Court with a motion requesting that the Court direct the U.S. Marshal to serve them on Plaintiff's behalf. To that end, the Court will direct the Clerk to send Plaintiff a blank subpoena to complete and return to the Court with the proper motion.

Finally, Plaintiff filed a "Request for Subpoena" in which he asks the Court to "command" the three listed individuals "to produce copies and permit inspection and copying" of certain documents, some of which are Plaintiff's medical records. [Doc. 35]. The Court will deny Plaintiff's request. Again, it is Plaintiff's responsibility to prepare and submit any subpoenas he wants served with a proper motion requesting their service.¹ The Court will direct the Clerk to send Plaintiff blank subpoenas for this purpose.

ORDER

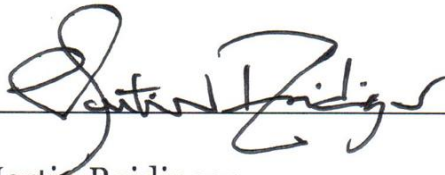
IT IS, THEREFORE, ORDERED that Plaintiff's Motions [Docs. 33, 34, 35] are **DENIED** in accordance with the terms of this Order.

¹ Plaintiff is admonished that his medical records will not be released without proper signed authorizations to release such records, which should be included with his Subpoenas.

The Clerk is respectfully instructed to send Plaintiff six (6) blank Subpoenas Duces Tecum.

IT IS SO ORDERED.

Signed: November 6, 2023



Martin Reidinger
Chief United States District Judge

